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Attention: **Examiner Randall Chin**

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Subject: Amendment to Patent App No: 09/912,692

Comments:

{ Note Field }

JAN 21 2009

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Patent Application of Edward T. Buford, III

Serial No: 09/912,692

Group Art Unit:

Filed: 7/26/2001

Examiner: R. Chin

Commissioner of Patent and Trademarks  
Washington, D.C. 20321

Sir:

DO NOT ENTER: /R.C./

RESPONSE TO OFFICE ACTION MAILED OCTOBER 21, 2008

This is in response to the Office Action mailed October 21, 2008. In the referenced Office Action, the Examiner rejected claims 17 and 19-21 based upon the structural deficiencies and awkward language. Claims 17 and 19 are also rejected for obviousness based upon 35 U. S. C. 103 (a) as being unpatentable over Stewart 2,876,477 that teaches a brush bristle having a groove or flute along its longitudinal axis. Thus, the Stewart bristle is demonstrably similar to the grooved bristle described by applicant in his invention. The Examiner supports his rejection by reference to Figs. 3, 4, 5, 6 and 7 of Stewart.

The Examiner also noted structural deficiencies and awkward construction of the claims that need to be corrected. Applicant has made the corrections in the claims and respectfully requests reexamination of the Claims. With respect to the rejection of Claims 17 and 19 under 35 U S C 103, Applicant asserts that these Claims, as corrected are no longer barred by Stewart.

Further, Stewart does not claim the functional attributes of Applicant's groove with respect to his invention. Stewart does not make any reference in his specification or

claims to the results achieved from the structural elements of the invention. Essentially, Stewart demonstrates a technique for efficient placement of the bristles in "tuft-receiving holes" such that the apices of the cross-section of the bristles are adjacent to each. The effect, if any, that such a placement will have on cleaning, particularly the ability of the apices of the bristles to act as cleaning devices is not mentioned or left to speculation.

Moreover, the arrangement of the bristles as described by Stewart virtually precludes the apices from having any cleaning function since the apices are adjacent to each other and not exposed. Further, unlike the bristle of Applicant's invention that has a single groove along the longitudinal axis and is designed so that the entire length of the bristle is a cleaning device, the polygonal shape of Stewart's bristles does not lend itself to a cleansing function. Consequently, applicant asserts that the differences between the Stewart bristle and the bristle of the invention are not merely functional.

Accordingly, Applicant respectfully requests that the Examiner reconsiders and reexamines claims 17 and 19, as amended. These amendments were made with a view to overcoming the Examiner's rejection of the referenced claims. Applicant believes that the amendment to the claims is consistent with the Examiner's suggestions.

Applicant has also corrected claims 20 and 21 to remove the deficiencies noted by the Examiner.